

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Connect America Fund)	WC Docket No. 10-90

Comments of Nex-Tech, LLC

Nex-Tech, LLC d/b/a Nex-Tech (Nex-Tech) files these comments in response to the Public Notice issued in the above-captioned proceeding relating to an updated list of census blocks eligible for Connect America Phase II support.¹

Nex-Tech, with headquarters in Lenora, Kansas, is a competitive local exchange carrier authorized to provide service in the state of Kansas.

Nex-Tech is responding to the *Public Notice* in order to demonstrate to the Commission that a substantial number of census blocks located in the Hays, Kansas area are currently served, and were served during 2015, by Nex-Tech at speeds greater than 10/1 Mbps. It is clear that these census blocks should not be included in the upcoming Connect America Fund (CAF) Phase II competitive auction, and Nex-Tech requests that the Bureau and Commission remove these census blocks as discussed below.

¹ *Wireline Competition Bureau Releases Updated List of Census Blocks Eligible for Connect America Phase II Support and Announces Deadlines for Certain Additional Updates in Price Cap and Rate-of-Return Areas*, Public Notice, WC Docket No. 10-90, DA 17-561 (rel. June 8, 2017) (*Public Notice*)

Census Blocks in the Hays, Kansas Exchange

During the Commission's process to determine areas eligible for the statewide offer of CAF Phase II support to price cap carriers, Nex-Tech, a competitive local exchange carrier authorized to offer service in the state of Kansas, offered input and analysis regarding certain census blocks in the Hays/Ellis County, Kansas area.² In those comments, Nex-Tech demonstrated that a number of census blocks, covering 539 locations, included in AT&T's offer of statewide support were already served by Nex-Tech with fiber-to-the-premises (FTTP) based services offering up to 1 gigabit speeds. Thus, these census blocks were, or should have been, considered as served by an unsubsidized competitor and removed from the offer of support to AT&T.

In the most recent list of census blocks eligible for the CAF Phase II competitive auction, Nex-Tech notices that a number of these census blocks are included. It is Nex-Tech's understanding that (1) extremely high-cost census blocks and (2) high-cost census blocks that are served by unsubsidized competitors at speeds of greater than 4/1 mbps but less than 10/1 mbps are to be included in the upcoming CAF Phase II auction.³ Nex-Tech lists on Exhibit A a number of census blocks that do not appear to meet either of these criteria. These census blocks are served by Nex-Tech, an unsubsidized competitor, with speeds available of up to 1 gbps, and thus do not meet the Commission's top-line criteria for included census blocks in the CAF Phase II auction:

"...census blocks in price cap carrier territories that...are not served by the incumbent price cap carrier or an unsubsidized competitor with voice and broadband at speeds of 10/1 Mbps or higher..."⁴

² See Comments of Nex-Tech, filed December 31, 2015 in WC Docket Nos. 10-90 and 14-93

³ *Wireline Competition Bureau Releases Preliminary List and Map of Eligible Census Blocks for the Connect America Phase II Auction*, Public Notice (DA 16-908) in WC Docket No. 10-90, rel. August, 10, 2016 at p. 2

⁴ *Id.*

Conclusion

Nex-Tech requests that the Bureau adjust the list of census blocks eligible for the CAF Phase II auction as discussed herein to exclude the census blocks listed in Exhibit A, located in the Hays/Ellis County, Kansas area, that are served by Nex-Tech, an unsubsidized competitor in that area, with broadband speeds greater than 10/1 Mbps.

Respectfully Submitted,

Rhonda S. Goddard
Chief Financial Officer
Nex-Tech, LLC

July 7, 2017

Census Blocks in Hays, Kansas area served by Nex-Tech at 10/1 Mbps:

200510726001012	200510726002302	200510727022050	200510730001097	200510730001394
200510726001013	200510726002304	200510727022061	200510730001102	200510730001395
200510726001014	200510726002305	200510727022070	200510730001110	200510730001397
200510726001024	200510726002310	200510727022079	200510730001111	200510730001398
200510726001025	200510726002313	200510727022089	200510730001112	200510730001400
200510726001078	200510726002321	200510727022090	200510730001114	200510730001402
200510726001080	200510726002325	200510727022093	200510730001184	200510730001404
200510726001081	200510726002329	200510727022098	200510730001185	200510730001406
200510726001082	200510726002330	200510727022102	200510730001186	200510730001407
200510726001083	200510726002331	200510727022120	200510730001188	200510730001411
200510726001084	200510726002333	200510727022122	200510730001194	200510730001413
200510726001086	200510726002334	200510727022128	200510730001195	200510730001419
200510726001088	200510726002350	200510727022129	200510730001199	200510730001429
200510726001104	200510726002363	200510727022130	200510730001202	200510730001430
200510726001105	200510726002402	200510728001006	200510730001211	200510730001433
200510726001106	200510726002407	200510728001012	200510730001213	200510730001435
200510726001107	200510726002410	200510728001017	200510730001216	200510730001436
200510726001108	200510726002414	200510728001022	200510730001219	200510730001437
200510726001117	200510726002418	200510728001026	200510730001237	200510730001439
200510726001118	200510726002419	200510728001030	200510730001242	200510730001441
200510726001120	200510726002423	200510728001032	200510730001244	200510730001442
200510726001128	200510726002424	200510728001034	200510730001246	200510730001443
200510726001131	200510726002425	200510728001036	200510730001248	200510730001444
200510726001132	200510726002426	200510728001037	200510730001261	200510730001446
200510726001134	200510726002428	200510728001049	200510730001262	200510730001447
200510726001135	200510726002430	200510728001051	200510730001263	200510730001448
200510726001136	200510726002431	200510728001054	200510730001292	200510730001449
200510726001137	200510726002467	200510728001073	200510730001293	200510730001453
200510726001138	200510726002509	200510728001075	200510730001324	200510730001454
200510726001139	200510727011059	200510728001089	200510730001326	200510730001455

Census Blocks in Hays, Kansas area served by Nex-Tech at 10/1 Mbps (Cont'd)

200510726001192	200510727011073	200510728001094	200510730001329	200510730001456
200510726001193	200510727012005	200510728001098	200510730001330	200510730001457
200510726001207	200510727012013	200510728001131	200510730001332	200510730001463
200510726001209	200510727013038	200510728001164	200510730001333	200510730001464
200510726001210	200510727014033	200510728001166	200510730001336	200510730001465
200510726001211	200510727021001	200510728001176	200510730001340	200510730001466
200510726001212	200510727021008	200510728001181	200510730001346	200510730001467
200510726001243	200510727021011	200510728001190	200510730001348	200510730001469
200510726001255	200510727021013	200510728001194	200510730001350	200510730001473
200510726002061	200510727021019	200510729001006	200510730001354	200510730001474
200510726002094	200510727021030	200510729001009	200510730001356	200510730001476
200510726002108	200510727021035	200510729001025	200510730001357	200510730001479
200510726002131	200510727021036	200510729001117	200510730001358	200510730001482
200510726002138	200510727021038	200510729001144	200510730001359	200510730001487
200510726002204	200510727021039	200510729001145	200510730001360	200510730001489
200510726002207	200510727021044	200510729001146	200510730001361	200510730001494
200510726002208	200510727021057	200510729001148	200510730001362	200510730001499
200510726002209	200510727021058	200510729001150	200510730001363	200510730001500
200510726002210	200510727021059	200510729001152	200510730001378	200510730001510
200510726002211	200510727021060	200510729001159	200510730001379	200510730001527
200510726002221	200510727021062	200510729001160	200510730001380	200510730001528
200510726002222	200510727021067	200510729001161	200510730001384	200510730001529
200510726002223	200510727021082	200510729001162	200510730001385	200510730001531
200510726002224	200510727021083	200510729003003	200510730001386	200510730001532
200510726002277	200510727021086	200510729005003	200510730001387	200510730001543
200510726002279	200510727021141	200510729005013	200510730001388	200510730001544
200510726002285	200510727021156	200510729005014	200510730001389	200510730001551
200510726002289	200510727021164	200510730001092	200510730001390	200510730001555
200510726002301	200510727021188	200510730001093	200510730001391	200510730001556
				200510730001560